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**Woman sentenced for mishandling hazardous waste**

Portland, Maine: United States Attorney Paula D. Silsby and Michael E. Hubbard, Special Agent in Charge, United States Environmental Protection Agency Criminal Investigation Division, announced today that on August 3, 2007, United States District George Z. Singal sentenced Jo Miller, age 56, to 2 years probation and a \$24,000 fine for being an accessory after the fact to transporting hazardous waste without a manifest in violation of 42 U.S.C. § 6928(d)(5). Mrs. Miller was formerly Jo Ann Pollack and Jo Ann Lavallee. Mrs. Miller is a native of Winslow, Maine. She currently resides in San Francisco, California with her husband, Herbert Miller.

The Government's investigation revealed that Miller Industries was owned by Herbert Miller primarily engaged in the business of milling waste fiber into yarn, cloth and finished textiles. Since at least as early as the 1970s, Miller Industries operated mills located on Beech and Lincoln Streets in Lewiston, on Mill Street in Lisbon Center, and on Canal Street in Lisbon Falls.

In the course of its operations, Miller Industries used a variety of chemicals including dyes, bleaches, caustics and oils. Rather than dispose of discarded or unusable chemicals, Miller Industries accumulated them onsite such that as of the fall of 2001 it was storing at the Beech, Lincoln and Mill Street facilities approximately 550 containers of waste ranging from gallon cans to 55 gallon drums. Some of these containers were in poor condition and had been stored for decades.

Many of these chemicals were also hazardous waste as defined by both federal and Maine State law and regulations due to the characteristics they exhibited, such as ignitability, corrosivity and toxicity that are identified at Title 40 of the Code of Federal Regulations, Section 261, Subpart C. Miller Industries did not have the necessary permits to store hazardous waste at any of its facilities.

In about the late summer and early fall of 2001, Miller Industries decided to dispose of these wastes. It did so for a variety of reasons including that its textile business had declined due to foreign competition, because its owner Herbert Miller was growing old and desirous of getting

out of the business, and because of the costs and hazards associated with continuing to store hazardous waste in mill buildings that were not in active use, were not being maintained, were physically deteriorating and were becoming a potential hazard to the community.

Miller Industries solicited proposals from at least two licensed and qualified environmental contractors. Those contractors provided Miller Industries with proposals to dispose of the waste. Rather than use these qualified contractors, Miller Industries decided to save money by performing some of the work in-house. In particular, Miller Industries recruited several of its employees to move the wastes from the Beech, Lincoln, and Mill Street sites and consolidate them in Miller Industries' site on Canal Street.

Miller Industries did not possess a valid EPA identification number, license, or any permit to generate, store, treat or transport hazardous waste. It did not generate any manifests for the hazardous waste that it transported. It did not properly label the containers or placard the truck that it used to transport the waste over public roads. It did not provide any worker training associated with the hazards of handling such wastes. On about April 16, one of Miller Industries' employees was exposed to reactive waste.

On about April 22, 2002, Jo Miller began to contact different licensed, qualified environmental contractors to dispose of all of the waste which had, by then, been moved to the Canal Street location. Mrs. Miller continued to make such arrangements until someone complained to the Maine Department of Environmental Protection about what Miller Industries had been doing.

In a related case, on June 8, 2007, Judge Singal sentenced Miller Industries to 1 year of probation, a \$75,000 fine, a \$75,000 community restitution payment to the Maine Hazardous Waste Fund. The Maine Hazardous Waste Fund is a nonlapsing, revolving fund, established by the Maine Legislature in Section 1319-D of Title 38 of the Maine Revised Statutes, in order to carry out the Maine Department of Environmental Protection's responsibilities including the costs of inspections and supervision of hazardous waste handlers and of removal and abatement of hazardous waste discharges. This community service payment will be used by the Maine Hazardous Waste Fund to address hazardous waste problems within the State of Maine.

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